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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.				
10/748,755	12/30/2003	Dougan H. Clarke	1.221.02	2743				
7590 12/19/2005								
MALLOY & MALLOY, P.A. 2800 S.W. Third Avenue Historic Coral Way Miami, FL 33129		<table border="1"><tr><td>EXAMINER</td></tr><tr><td>YIP, WINNIE S</td></tr></table>			EXAMINER	YIP, WINNIE S		
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		<table border="1"><tr><td>ART UNIT</td><td>PAPER NUMBER</td></tr><tr><td>3636</td><td></td></tr></table>			ART UNIT	PAPER NUMBER	3636	
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3636								

DATE MAILED: 12/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

1. This application contains claims directed to the following patentably distinct species of the claimed invention:

- a. Group I, a first embodiment, shown in Fig. 2;
- b. Group II, a second embodiment, shown in Figs. 3A and 3B;
- c. Group III, a third embodiment, shown in Figs. 5A and 5B.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claim is generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the

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examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

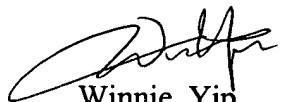
A telephone call was made to Ms. Jennie Malloy on December 2, 2005 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Winnie Yip whose telephone number is 571-272-6870. The examiner can normally be reached on M-F (9:30-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Cuomo can be reached on 571-272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Winnie Yip
Primary Examiner
Art Unit 3636

wsy
December 14, 2005